

**DECLARATION AND
POWER OF ATTORNEY
FOR PATENT APPLICATION**

Declaration submitted with Initial Filing

Declaration submitted after Initial Filing (surcharge (37 CFR 1.16(e)) required)

Attorney Docket Number	4002-3474/PC1008.00
First Named Inventor	Rolando M. Puno
COMPLETE IF KNOWN	
Application No.	10/764,621
Filing Date	January 26, 2004
Group Art Unit	3736
Examiner's Name	

As a below named inventor, I hereby declare that:

My residence, post office address, and citizenship are as stated below next to my name.

I believe I am the original, first, and sole inventor (if only one name is listed below) or an original, first, and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

METHODS AND INSTRUMENTATION FOR INSERTING INTERVERTEBRAL GRAFTS AND DEVICES

(*Title of Invention*)

The specification of which

is attached hereto
OR

was filed on (MM/DD/YYYY) 01/26/2004 as United States Application Number or PCT

International Application Number 10/764,621 and was amended on (MM/DD/YYYY) (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the patentability of this application in accordance with Title 37, Code of Federal Regulations, §1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, §119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY)	Priority Not Claimed	Certified Copy Attached?	
				Yes	No
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

I hereby claim the benefit under 35 U.S.C. 119(e) of any United States provisional application(s) listed below.

Application Number(s)	Filing Date (MM/DD/YYYY)	<input type="checkbox"/> Additional provisional application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto.

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56 which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

US Parent Application or PCT Parent Application Number	Parent Filing Date (MM/DD/YYYY)	Parent Patent Number (if applicable)

As a named inventor, I hereby appoint the following registered practitioner(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith:

- Customer Number 30565
 OR
 Registered practitioner(s) name/registration number listed below.

Name	Registration Number	Name	Registration Number
Douglas A. Collier	43,556		

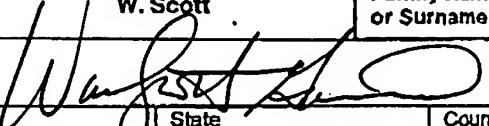
Additional registered practitioner(s) named on supplemental Registered Practitioner Information Sheet PTO/SB/02C attached hereto.

Direct all correspondence to:		<input checked="" type="checkbox"/> Customer Number	30565	OR	<input type="checkbox"/> Correspondence address below
Name	Woodard, Emhardt, Moriarty, McNett & Henry LLP				
Address	111 Monument Circle				
Address	Suite 3700				
City	Indianapolis	State	IN	ZIP	46204
Country	US	Telephone	(317) 634-3456	Fax	(317) 637-7525

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

NAME OF SOLE OR FIRST INVENTOR:

Given Name (first and middle [if any])	Rolando M	Family Name or Surname	Puno
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Inventor's Signature			Date 1/27/04
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Given Name (first and middle [if any])		Family Name or Surname	
Inventor's Signature			Date
Residence: City	State	Country	Citizenship
Mailing Address			
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NAME OF JOINT INVENTOR (IF ANY):			
Given Name (first and middle [if any])		Family Name or Surname	
Inventor's Signature			Date
Residence: City	State	Country	Citizenship
Mailing Address			
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DECLARATION		Registered Practitioner Information (Supplemental Sheet)	
Name	Registration Number	Name	Registration Number
C. David Emhardt	18,483	Noreen C. Johnson	38,929
Joseph A. Naughton, Jr.	19,814	David A. Warmbold	30,897
John V. Moriarty	26,207	Paul A. Revis	45,040
John C. McNett	25,533	John F. Thompson	43,953
Thomas Q. Henry	28,309	Trevor D. Arnold	51,416
James M. Durlacher	28,840		
Charles R. Reeves	28,750		
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Jason A. Houdek	54,620		
Michael S. Wherry	53,764		
Michael C. Bartol	44,025		
Gary M. Gron	24,293		
Elizabeth A. Shuster	52,672		

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent)
application of:) Examiner:
)
Rolando M. Puno et al.)
) Art Unit
Serial No. 10/764,621)
)
Filed: Jan. 26, 2004)
) Atty Docket No. 4002-3474/PC1008.00
METHODS AND INSTRUMENTATION)
FOR INSERTING INTERVERTEBRAL) June 30, 2004
GRAFTS AND DEVICES)

PRACTITIONERS TO BE RECOGNIZED OF RECORD IN THE APPLICATION
FROM POWER OF ATTORNEY

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Pursuant to 37 CFR 1.32(c)(3), please recognize the following ten practitioners listed on the executed Declaration and Power of Attorney for Patent Application enclosed herewith as being of record in the above captioned application:

Charles R. Reeves	28,750	Noreen C. Johnson	38,929
Kenneth A. Gandy	33,386	David A. Warmbold	30,897
Christopher A. Brown	41,642	Paul A. Revis	45,040
Douglas A. Collier	43,556	John F. Thompson	43,953
Brad A. Schepers	45,431	Trevor D. Arnold	51,416

This Statement is being submitted with the filing of originally executed power of attorney in the above application. Entry of the same is respectfully requested.

Respectfully submitted:



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